

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Daniel White v. :
Portfolio Recovery Associates : Civil Action 1:CV-09-1494

Kimberly-Clark Worldwide Inc. v.:
First Quality Products, et al. : Civil Action 1:CV-09-1685

O R D E R

I. The above captioned matters have been listed for a case management conference to be held with counsel in my chambers, ninth floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania. The conferences may be conducted by telephone by pursuing the procedure on the attached notice.

II. Conferences will be held as follows on Thursday, October 1, 2009:

9:00 a.m.	No. 1:CV-09-1494
10:30 a.m.	No. 1:CV-09-1685

III. The purpose of this conference is to discuss all aspects of each case including possible simplification of issues, a schedule for the completion of discovery, amendment of pleadings, joinder of parties, filing of motions, and trial. It is anticipated that discovery has been initiated and will be pursued with dispatch, including compliance with Fed. R. Civ. P.

26(a), so that a realistic trial schedule can be agreed upon at the conference. Although counsel need not comply at this time with the pre-trial submissions requirements specified in Local Rule LR 16.6 and 16.3(b) (as amended on January 29, 2003), it is expected that counsel in attendance will be in compliance with Local Rule LR 16.2.

IV. Prior to filing any motion concerning discovery, counsel shall notify the court by a brief letter of any impasse. A telephone conference will be arranged in an effort to mediate the matter.

V. All briefs filed in this case shall comply with Local Rule LR 7.8. So called "courtesy" copies shall not be submitted to the court. Copies of the current rules of this court are available from the Clerk of Court.

VI. Local Rule LR 16.3 requires lead counsel for each party to meet prior to the management conference and complete a "Joint Case Management Plan" form. The completed form, which is set forth in Appendix A of the local rules, must be filed at least five days prior to the conference. Counsel should also be conversant with the district's "Expense and Delay Reduction

Plan," adopted on August 19, 1993, as required by the Civil Justice Reform Act of 1990.

VII. In the event videos or depositions are to be used at trial, the parties shall plan well organized and concise examinations of witnesses. Ideally a trial deposition should not exceed one hour or so. The court may disallow the presentation of evidence by this means where to do so is determined to be burdensome to the fact finder. Transcripts of any depositions to be utilized at trial in lieu of live testimony shall be available at least three days prior to the date set for jury selection. Objections to testimony that cannot be resolved by counsel shall be brought to the court's attention at least two days prior to trial.

/s/William W. Caldwell
William W. Caldwell
United States District Judge

Date: September 4, 2009

UNITED STATES DISTRICT COURT

Middle District of Pennsylvania
P. O. Box 11877
Federal Building
Harrisburg, PA 17108-1877

William W. Caldwell
Judge

September 4, 2009

To All Counsel (and unrepresented litigants):

Because of the time and expense involved in appearing in person you may wish to participate in the case management conference established by the attached notice via a telephone conference call. Should you wish to do so please:

- 1) Secure the concurrence of other counsel.
- 2) Notify me in writing as soon as possible by mail that you will participate by phone.
- 3) Counsel who elects to proceed by telephone shall arrange for the conference call, which shall be held on the date and at the time specified in the notice. [Phone (717) 221-3970].

I would appreciate having all counsel who participate by phone ready to proceed when my office is contacted.

Very truly yours,

/s/William W. Caldwell